

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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STEVEN MERCIER,

Plaintiff,

- against -

Case No.: **12-CV-02064 (AKH)**

**DECLARATION OF COUNSEL
IN OPPOSITION OF
DEFENDANTS'
MOTION TO DISMISS**

CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS,
and MARK LAVORGNA, *Individually*, and
MICHELE MCKITRICK, *Individually*,

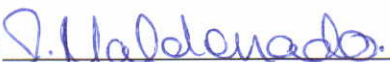
Defendants.
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JESSENIA MALDONADO, ESQ., declares, pursuant to 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:

1. I am an attorney duly admitted to practice in the Courts of the State of New York, and in the United States District Court for the Eastern and Southern Districts of New York.
2. I am an Associate with the firm, PHILLIPS & PHILLIPS, PLLC., which represents Plaintiff STEVEN MERCIER in the above-captioned action. As such, I am fully familiar with the facts and circumstances of this action, the basis of my knowledge being the files maintained by my office.
3. I submit this Declaration in Opposition of Defendants' Motion to Dismiss, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

Dated: New York, New York
August 14, 2012

PHILLIPS & PHILLIPS, PLLC

By: 
Jessenia Maldonado, Esq. (JM7811)
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MOTION TO DISMISS**

PHILLIPS & PHILLIPS

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